



CALIFORNIA DEPARTMENT OF  
FOOD & AGRICULTURE  
Karen Ross, Secretary

February 23, 2015

D2015-02

TO: All District Agricultural Associations

SUBJECT: Board of Directors – Public Officer Conflict of Interest

The purpose of this letter is to advise the District Agricultural Associations (DAA) that there could be a potential conflict of interest if a current DAA board member simultaneously serves as a public officer for another local or state government entity.

Government Code section 1099 and established common-law precedent hold that a person may not hold two public offices at the same time if any significant clash of duties or loyalties between the offices exists. Government Code section 1099(a) states:

*A public officer, including, but not limited to, an appointed or elected member of a governmental board, commission, committee, or other body, shall not simultaneously hold two public offices that are incompatible. Offices are incompatible when any of the following circumstances are present, unless simultaneous holding of the particular offices is compelled or expressly authorized by law:*

- (1) Either of the offices may audit, overrule, remove members of, dismiss employees of, or exercise supervisory powers over the other office or body.*
- (2) Based on the powers and jurisdiction of the offices, there is a possibility of a significant clash of duties or loyalties between the offices.*
- (3) Public policy considerations make it improper for one person to hold both offices.*

If there are current DAA board members that might be simultaneously serving as a public officer for another government entity, Fairs and Expositions is recommending the CEO to perform the following:

1. Notify the Governor's Appointments Office at (916) 445-4541.
2. Contact the Attorney General's Office to verify and advise the office of the possible conflict or clash of interest.

If you have any questions feel free to contact me at 916-900-5025 or [John.Quiroz@cdfa.ca.gov](mailto:John.Quiroz@cdfa.ca.gov)

Sincerely,

John Quiroz  
CDFA, Fairs & Expositions

